



THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

44  
3-11-04  
P.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5172**  
Yoshiyasu KURAMOTO et al. : Docket No. 2000\_0917A  
Serial No. 09/582,586 : Group Art Unit 2615  
Filed June 28, 2000 : Examiner J. Fletcher

RECORDING/REPRODUCING APPARATUS  
AND METHOD

**RECEIVED**

MAR 10 2004

Technology Center 2600

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

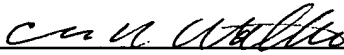
Pursuant to the requirement to elect a single species, as set forth in the Office Action mailed February 9, 2004, applicants hereby provisionally elect the species I depicted in Fig. 2. Claims 1-18 and 28-45 are readable on the elected species. However, this election is made with traverse.

The traversal of this election requirement is made on the grounds that the election requirement presented in item 1 on pages 2 and 3 of the February 9, 2004 is presented under 35 U.S.C. 121; whereas, the present application constitutes the U.S. national phase of a PCT international application. Accordingly, U.S. restriction practice under 35 U.S.C. 121 is not properly applicable against the present U.S. national phase application; rather, PCT Unity of Invention practice is the applicable standard to be applied, and the Examiner did not apply such PCT Unity of Invention practice.

Therefore, withdrawal of the election requirement is respectfully requested. An examination on the merits of the application is also respectfully requested.

Respectfully submitted,

Yoshiyasu KURAMOTO et al.

By:   
Charles R. Watts  
Registration No. 33,142  
Attorney for Applicants

CRW/asd  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
March 9, 2004